

FILED _____ ENTERED _____
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AUG 16 2011

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

11-CV-00250-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH R. ALSTON,

Petitioner,

v.

JEFFERY A. UTTECHT,

Respondent.

CASE NO. C11-0250-TSZ

ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

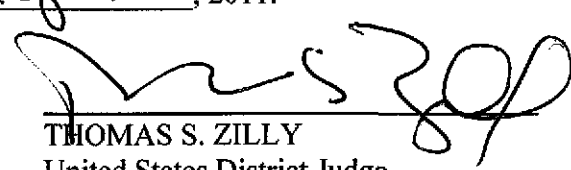
- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for writ of habeas corpus (Dkt. No. 7) is DENIED and this action is DISMISSED with prejudice;
- (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED with respect to the two claims asserted by petitioner in his federal habeas petition; and

ORDER DISMISSING PETITION FOR
WRIT OF HABEAS CORPUS
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docket no. 7,
docket no. 19, to which no
objections have
been filed,

01 (4) The Clerk shall send copies of this Order to petitioner, to counsel for respondent,
02 and to Judge Theiler.

03 DATED this 16th day of August, 2011.

04 
05 THOMAS S. ZILLY
06 United States District Judge
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